

# MINUTES

## RANDOLPH COUNTY PLANNING BOARD

**January 7, 2003**

The Randolph County Planning Board met at 6:30 p.m. on Tuesday, January 7, 2003, in the Commissioners' Meeting Room, Randolph County Office Building, 725 McDowell Road, Asheboro, North Carolina.

1. **Vice Chairman Bill Dorsett** called to order the Randolph County Planning Board meeting at 6:30 p.m.
2. **Hal Johnson**, Planning Director, called roll of the Members: Maxton McDowell, Chairman, absent; Bill Dorsett, Vice Chairman, present; Lynden Craven, present; Phil Ridge, present; Larry Brown, absent; and Chris McLeod, present.
3. **Ridge** made the motion, seconded by **Craven**, to approve the minutes of the December 3, 2002 Randolph County Planning Board and the Randolph County Zoning Board of Adjustment meetings. The motion passed unanimously.
4. **REQUESTS FOR PROPERTY REZONING:**

A. **RICHARD DEATON**, Lexington, North Carolina, is requesting that 21.33 acres located on Chapelwood Road, Concord Township, be rezoned from RA to CVOR-CU. Parcel ID #'s 6781941505; 6781848835; 6781846650 and 6781848057. The proposed Conditional Use Zoning District would specifically allow an additional lot in Deaton Estate division for Class-A double-wide mobile homes on permanent masonry foundation, modular homes or site-built homes. Property Owners: Jeffrey & Ricky Deaton; Michael & Kristi Toler; and William & Cheryl Eddinger.

*The Technical Review Committee met and found that the proposal was in compliance with standards outlined in the new Growth Management Plan adopted by the Board of County Commissioners on February 4, 2002. The Technical Review Committee recommend to the County Planning Board that this request be **approved**.*

*Examples of some Growth Management Policies that the Technical Review Committee found supporting this recommendation are:*

**Policy 6.5** *The protection of viable rural neighborhoods should be encouraged by compatible residential development to insure the continued existence as a major housing source and as a reflection of the long-term quality of life in Randolph County.*

**Policy 8.8** *The County should seek land use decisions that continue to provide locations for affordable housing while maintaining a choice in compatible housing types in communities within the county.*

**Deaton** was present and explained his intentions to further subdivide the property. Deaton presented pictures of the type of housing that would be placed on each lot.

**Jon Megerian**, attorney (representing some adjoining residents), explained that currently there is very little development within sight of this property. Megerian said that the type of housing permitted in this development would set a precedence for the type of future development in this community. Megerian presented pictures of the properties within sight of the property. Megerian said that the property is zoned Residential Agricultural and the Board must decide whether the lots will be developed with site-built and modular housing or mobile homes. Megerian said that this decision will set the tone of the development to come in this area. Megerian asked the Board to consider removing the mobile homes from the conditional use permit. Megerian said that site-

built homes do not come when mobile homes are allowed. Megerian said that the pattern of housing has not been determined for this area, but it will with this request.

**There were 6 citizens present in opposition to this request.**

**Ridge** asked if the lots that have been sold would be included in this rezoning request. **Johnson** said that it would not apply to the lots that have been sold. Johnson said that the question would be if this case will be setting a pattern for future development in the area.

**Dorsett** asked Deaton if he would consider only allowing site-built homes and modular homes. **Deaton** answered that the person interested in the lot wants to put a double-wide mobile home on the property.

**Craven** said that he felt this decision would set a precedence for development in this area. Craven said these rural areas should be protected.

**Craven** made the motion, seconded by **Ridge**, to recommend to the Commissioners that this request be **denied**. The motion passed unanimously.

- B. **RUSSELL LINEBERRY**, Siler City, North Carolina, is requesting that 49.40 acres located on Browns Crossroads Road, Columbia Township, be rezoned from RA to RLOR-CU. Parcel ID #'s 8733337244 and 8733343878. The proposed Conditional Use Zoning District would specifically allow the development of a 12-lot subdivision for Class-A double-wide mobile homes on permanent masonry foundation, modular homes or site-built homes. Property Owner: Roger Thompson.

*The Technical Review Committee met and found that the proposal was in compliance with standards outlined in the new Growth Management Plan adopted by the Board of County Commissioners on February 4, 2002. The Technical Review Committee recommend to the County Planning Board that this request be **approved**.*

*Examples of some Growth Management Policies that the Technical Review Committee found supporting this recommendation are:*

**Policy 2.14** The County should encourage the use of rural-lot subdivision designs in those areas where it is found necessary to maximize the infiltration of precipitation to a private well water field and insure sustainable groundwater supplies.

**Policy 6.6** Development in designated flood zones shall be avoided. Subdivision lots that are partially within designated flood zones shall compute the minimum lot size as that area located outside the flood zone.

**Policy 6.23** The County should encourage the use of rural lot subdivision designs where the size of the lot allows for open space and groundwater recharge areas preserved by careful siting of the principal residence and accessory uses as noted through subdivision plat notations and related deed restrictions.

**Lineberry** was present and explained his intentions to develop the property. Lineberry asked that the Board consider the property to be developed for modular homes and site-built homes only. Lineberry said that he would not allow any mobile homes. Lineberry said that he would require a front setback of 100 ft for all structures to be located on each lot. Lineberry said that he felt this proposed development would be compatible to the neighborhood. Lineberry said he would inform all purchasers that this is a farming community before they purchase the lots. Lineberry said the lots would be for single-family housing only. Lineberry said that he would require homes to be at least 1,200 sq. ft. in size.

**Megerian**, attorney (representing some of the neighbors), said that the current zone allows the property to be used for farming. Megerian said that these lots being proposed are small lots. Megerian said that there are several chicken farms in the area and a subdivision doesn't belong in this area. Megerian said this is not a reasonable place for a residential subdivision. Megerian said that he didn't feel the rural residential overlay districts would work in this farming community. Megerian said that his clients are worried that the people who purchase the homes will complain to the chicken companies who supply their farms. Megerian said that they felt this area should remain Residential Agricultural and would be a poor place for a residential subdivision. Megerian said that farms do produce revenues and jobs in this area.

**There were 38 citizens present in opposition to this request.**

**Bill Scotton**, resident within the community, said that there are 30 chicken houses, 1 dairy farm, and 300 beef cows within a mile of this property.

**Dorsett** said that we cannot really deny the owner use of the property.

**Ridge** said there is currently a small mobile home subdivision across the road from this property.

**McLeod** asked Megerian how the neighbors would want the property to be used. **Megerian** said they would like to see the property remain farmland.

**Johnson asked for a show of the number of people present involved in agricultural operations, and 21 people stood.**

**Craven** said that probably 70% of the property in this area is in a forestry program. Craven said that there is not that much agricultural producing land in this area. Craven said that the farmers were here first and if people don't like living in the country they should move back to the city.

**Ridge** said he felt that the request is within our guidelines. **Ridge** made the motion, seconded by **McLeod**, to recommend to the Commissioners that this request be **approved**. The motion passed unanimously.

- C. **SDT DEVELOPMENT, INC.**, Archdale, North Carolina, is requesting that 40.69 acres located on Heritage View Lane, Tabernacle Township, Lake Reese Watershed, be rezoned from RA to CLOE-CU. Parcel ID #'s 6795637085; 6795621379; 6795630105; and 6795634328. The proposed Conditional Use Zoning District would specifically allow the development of a 40-lot subdivision for site-built homes only with a minimum house size of 1,300 sq. ft. Property Owner: Julli Barnes.

*The Technical Review Committee met and found that the proposal was in compliance with standards outlined in the new Growth Management Plan adopted by the Board of County Commissioners on February 4, 2002. The Technical Review Committee recommend to the County Planning Board that this request be approved.*

*Examples of some Growth Management Policies that the Technical Review Committee found supporting this recommendation are:*

**Policy 6.4** *Innovative and flexible land-planning techniques should be supported as a means of encouraging development configurations which are more desirable and which may better safeguard existing natural land and water resources.*

**Policy 6.7** *Open-space flexible cluster subdivisions should be encouraged.*

**Policy 6.9** *Major residential subdivision development in all growth management areas shall be computed by the number of lots divided from the original base tract.*

**Stan Byrd**, SDT Development, said that they are trying to build affordable site-built homes for people in their community. Byrd said that the cluster subdivision allows for homes to be built more affordable. **Johnson** asked how the open space would be maintained. **Byrd** said that they (SDT Development) would maintain the open space or create a homeowners' association for maintenance. **Ridge** asked Byrd if the septic systems would be off-site or contained on each individual lot. Byrd said that approximately 5 of the lots would have off-site systems but most of the lots would contain their septic tank system. Byrd said the cluster lots allow for someone to live in the county but not be required to maintain a large lot. Byrd said that the water will be supplied by Davidson Water, Inc.

**Terry Knawl**, SDT Development, said that the open-space or common area will allow for privacy in this community and would not be allowed to be clear-cut. Knawl said that he felt this would be the best type of development for this area.

**Gerald Agner**, adjoining property owner, said that their current access to their property is at least a mile from the state road. Agner said that SDT has offered them a closer access to a state road. Agner said that they are in favor of this request.

**There was no one present in opposition to this request.**

**Ken McDowell**, Developer, said that this is the type of development that the Board of Realtors wanted to see in Randolph County. McDowell said that he has worked on the committee with the Board of Realtors concerning land development planning in the County.

**Gail Agner**, adjoining property owner, said that the road they use currently is terrible and this would be a much better access for them.

**Johnson** said that these cluster subdivisions are complicated to design and a lot of work has been done to design this preliminary plan.

**McLeod** made the motion, seconded by Craven, to recommend to the Commissioners that this request be approved. The motion passed unanimously.

- D. **K & L ENTERPRISES**, Asheboro, North Carolina, is requesting that 50.69 acres located on Ramseur-Julian Road, Columbia Township, Sandy Creek Watershed, be rezoned from RA to RLOR-CU. Parcel ID # 8704744174. The proposed Conditional Use Zoning District would specifically allow the development of a 15-lot subdivision for Class-A double-wide mobile homes on permanent masonry foundation, modular homes or site-built homes.

*The Technical Review Committee met and found that the proposal was in compliance with standards outlined in the new Growth Management Plan adopted by the Board of County Commissioners on February 4, 2002. The Technical Review Committee recommend to the County Planning Board that this request be approved.*

*Examples of some Growth Management Policies that the Technical Review Committee found supporting this recommendation are:*

**Policy 2.14** *The County should encourage the use of rural-lot subdivision designs in those areas where it is found necessary to maximize the infiltration of precipitation to a private well water field and insure sustainable groundwater supplies.*

**Policy 6.5** *The protection of viable rural neighborhoods should be encouraged by compatible residential development to insure the continued existence as a major housing source and as a reflection of the long-term quality of life in Randolph County.*

**Policy 8.8** *The County should seek land use decisions that continue to provide locations for affordable housing while maintaining a choice in compatible housing types in communities within the county.*

**Ken McDowell**, 1926 Old Humble Mill Road, Asheboro, said that they will develop this subdivision in compliance with all the rules and regulations of the County. McDowell said that the mobile homes would be at least 1200 sq. ft. with brick underpinning and the site-built homes could be reduced to 1000 sq. ft. in size. McDowell said that no commercial livestock would not be allowed on each lot but they would allow horses. McDowell reviewed the general restrictions they plan to have on each lot. McDowell said that all driveways will be required to access to the new street (not Ramseur-Julian Road).

**Jerry King**, surveyor, said that the property will make a nice subdivision and most of the development will not be visible from the main road.

**Sheila Jenkins**, Ramseur-Julian Road, said that they are not opposed to the subdivision but they would like to see additional restrictions required:

- \*\*masonry foundations of brick or stone only
- \*\*minimum square footage of 1200 sq. ft. of heated living area
- \*\*exterior of brick, stucco, and vinyl siding only
- \*\*cats not allowed to run loose
- \*\*dog lots could not exceed 200 sq. ft.
- \*\*no kennels or boarding of animals
- \*\*should limit the number of horses to no more than 2 on each lot
- \*\*like to see the private restrictions enforcement of 50 years (instead of 30 years)
- \*\*no obstructions along the creeks (no dams)
- \*\*no living trees more than 6" in diameter may be cut or removed except for structures or utilities and no more than 5000 sq. ft. may be cleared
- \*\*driveways minimum of 10 ft. wide and no more than 20 ft. wide
- \*\*no more than 4 licensed vehicles per household
- \*\*no vehicle repairs more than minor oil/plug changes
- \*\*all vehicles must be parked in driveways or driveway pads
- \*\*farm vehicles are not included in the 4 vehicles
- \*\*total size of outbuildings shall not exceed 1/2 of the foundation area (or square footage) of the residence (no shacks or huts)

**Jenkins** said these changes would make the restrictions comparable to their deed restrictions. Jenkins said this development would create additional traffic to Ramseur-Julian Road.

**Carol Hartsell King**, adjoining property owner, said she does agree with Jenkins. King asked what would happen to lots that wouldn't perk. Johnson said they are normally combined with adjoining lots.

**McDowell** said that the County Health Department requires at least 10,000 sq. ft. to be removed for a septic tank. McDowell said that he doesn't plan to clear-cut the property but the previous owner did clear-cut the rear of this property.

**Craven** made the motion, seconded by McLeod, to recommend to the Commissioners that this request be approved. The motion passed unanimously.

5. The meeting adjourned at 8:15 p.m. There were 65 people present for this meeting.

**RANDOLPH COUNTY**

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Planning Director

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Date

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Clerk/Secretary